

PROPOSAL:

New Liquor Primary License

to allow for conversion of an existing licensed establishment from liquor primary club to a liquor primary license

LOCATION:

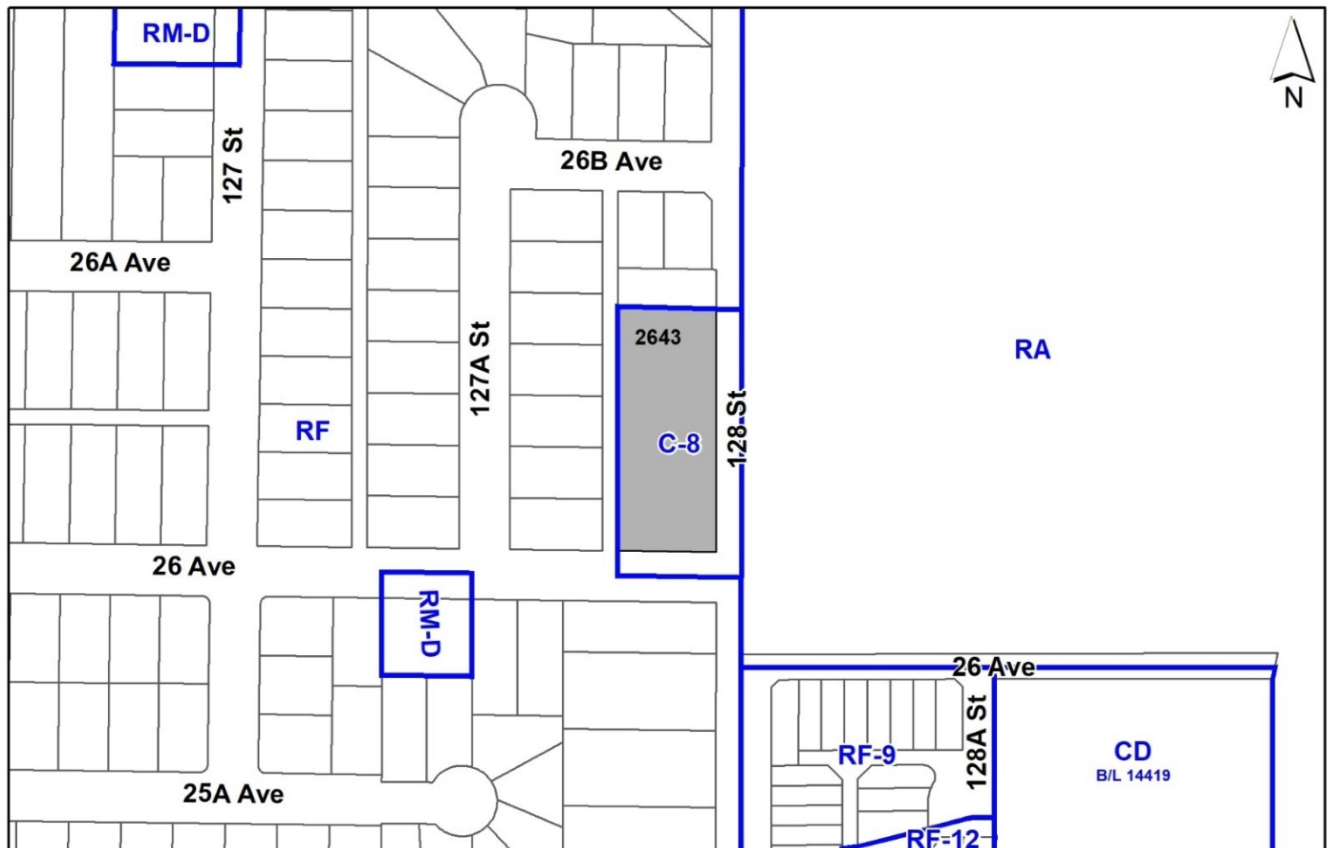
2643 128 Street

ZONING:

C-8

OCP DESIGNATION:

Urban



RECOMMENDATION SUMMARY

- A date for a Public Information Meeting in the form of a Public Hearing to solicit public opinions on the proposed liquor primary license.
- If supported after the Public Information Meeting, it is recommended that Council pass a resolution directing staff to forward a resolution to the Liquor and Cannabis Regulation Branch (LCRB) recommending issuance of the license.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- A Liquor Primary License is required for businesses that want to offer liquor service as an additional service to patrons or have a liquor focused area (eg. Bars and pubs).
- The intent of the proposal is to convert the Royal Canadian Legion's existing Liquor Primary Club License to a Liquor Primary License, which will allow the Legion to provide liquor service to a wider range of patrons, including the general public.
- The Royal Canadian Legion Branch #240 has been operating in the South Surrey area since 1954 and at this location since 1975. It has held a Liquor Primary Club License in good standing with the Province since 1954.
- There will be no changes to the existing hours of operation, which are compliant with Council's policy on hours of operation for Liquor Primary Licensed establishments.
- The RCMP and the City's By-laws and Licensing Services Division have no concerns with the proposal.
- Staff have received no comments in response to the development proposal sign or pre-notification letter which were mailed out to adjacent property owners.
- The applicant will enter into a Good Neighbour Agreement to assist in mitigating any nuisance impacts the new liquor license may have on the surrounding neighbourhood.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A date for a Public Information Meeting in the form of a Public Hearing be set to solicit opinions from area residents regarding the proposed liquor primary license.
2. If supported after the Public Information Meeting, it is recommended that Council pass a resolution to the Liquor and Cannabis Regulation Branch (LCRB) recommending issuance of the license.
3. Council instruct staff to resolve the following issues prior to final approval:
 - (a) The applicant enter into a Good Neighbour Agreement with the City, in order to assist in mitigating any potential nuisance impacts the Liquor Primary License may have on the surrounding neighbourhood.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Royal Canadian Legion Branch #240	Urban	C-8
North:	Single family residential	Urban	RF
East (Across 128 St):	Crescent Park	Conservation and Recreation	RA
South (Across 26 Ave):	Single family residential	Urban	RF
West:	Single family residential	Urban	RF

Context & Background

- The subject property is an existing Legion Branch located north of 26 Avenue and west of 128 Street and Crescent Park. It is designated “Urban” in the Official Community Plan and zoned “Community Commercial (C-8) Zone. The location of the subject establishment is shown in Appendix I.
- The Legion’s main purpose is to serve as a gathering place for local veterans, which includes the serving of meals prepared on site. It also offers a wide variety of community-based events such as fundraisers, group gatherings, corporate meetings, ceremonies and sporting events.

- Under the current Liquor Primary Club License, the Legion is limited to serving liquor to members of the Legion, who pay an annual fee to be a club member. The proposed license would allow liquor sales to the general public.
- A similar proposal for Royal Canadian Legion Branch #008 (2290 152 Street) was presented at the December 07, 2020 Regular Council – Land Use Meeting (Development Application 720-0183-00) and endorsed by Council on December 21, 2020.

Referrals

Engineering: The Engineering Department has no objection to the project.

Parks, Recreation & Culture: No Concerns.

Surrey RCMP: No Concerns.

Surrey Fire Department: No Concerns.

Surrey Bylaws & Licensing Services: No Concerns.

Parkland Considerations

- The closest active park is Crescent Park which is 14 meters away, across 128 Street to the east. The Park contains active amenities, such as a playground, softball diamonds, a cricket pitch and pickleball courts. Active amenities are separated from the subject property by natural/forested areas.

POLICY & BY-LAW CONSIDERATIONS

Liquor Control and Regulation Branch (LRCB) Requirements

- The Liquor Control and Regulation Branch (LRCB) has established procedures for Liquor Primary Club Licenses including restricting the sale of liquor to only club members and their guests. Any proposal that is a permanent change to the license must be endorsed by the local government. Since the applicant is proposing to transition from a Liquor Primary Club License to Liquor Primary License, local government endorsement is required.

Liquor Licensing Approval Procedure

- The Liquor and Cannabis Regulation Branch (LCRB) requires that the applicant secure local government endorsement before a liquor primary application can be considered for approval by the LCRB.

- New Liquor Primary Licenses are processed in a similar manner to that of a rezoning application. In accordance with City Policy No. O-8, a Development Proposal sign is required to be erected on the site and a Public Information Meeting in the form of a Public Hearing is required to seek public input on the proposal.
- Staff also send pre-notification letters and public hearing notification letters to all property owners within 100 metres of the subject site for new Liquor Primary License applications. .
- The LCRB requires that Council comment on how the site satisfies a specified list of criteria to ensure that adequate consideration has been given to the application by the local government. The analysis of the criteria for this site is provided as follows:

Evaluation

Potential for Noise Impact

- The subject site, located at 2643 128 Street, is bounded to the north, west and south by single-family residential properties. It is anticipated that there will be minimal impact on the surrounding area resulting from the proposed Liquor Primary License, as the principal use is a community assembly hall and liquor is already served to Legion Club members.

Impact to the Community

- It is expected that, if the Liquor Primary License application is approved, there will be little community impact given that the Legion already has a Liquor Primary Club License.
- Staff did not receive any comments on the proposal in response to the Development Proposal Sign that was erected on the site or the Pre-Notification letters that were mailed to the surrounding property owners.
- The RCMP and the City's By-laws and Licensing Services Department have no concerns with the proposal.
- Should the proposal be supported by Council, the applicant would be required to enter into a Good Neighbour Agreement that will help to prevent potential nuisances, including noise, litter and untidiness.

Location of the establishment

- The City's locational guidelines for Liquor Primary establishments are as follows:
 - Select a site close to a residential area, but not surrounded by a residential area;
 - Select a site that is adjacent to or in a local commercial node;
 - Do not select a site on a provincial highway; and
 - Locate further than 400 metres (1,310 ft.) from a school, children's park, or playground.

- The subject site is located on an arterial road (128 Street) bounded on three sides by single-family residential properties. The primary use of the Legion is as a community hall, as such the Legion acts more as an assembly hall rather than a neighbourhood pub.
- The subject site is located approximately 300 metres from a playground located in Crescent Park across 128 Street. The playground and other active park amenities such as sports fields are separated from the Legion by forested areas. The Parks, Recreation and Culture Division raised no concerns on the proposal.

Person Capacity and hours of Liquor Service

- The City's policy, on maximum hours of operation for liquor primary establishments (Corporate Report No.L003) stipulates the following hours:
 - Sunday through Thursday 11:00 am – 1:00 am
 - Friday and Saturday 11:00 am – 2:00 am
- The Legion's current closing hours of 1:00 am Monday through Saturday, and 12:00 am on Sundays, are in keeping with the policy established by Council for liquor primary establishments.
- The establishment will maintain a maximum occupant load of 190 persons.

Proximity of the Establishment to Social or Recreational Facilities and Public Buildings

- As noted above, the subject site is located across the street from Crescent Park, which contains a playground and other active amenities such as sports fields. These amenities are separated from the subject site by forested areas.
- Crescent Park Elementary School is located 230 metres (754 ft.) from the subject site.
- Legion Branch No. 240 has operated as a Liquor Primary Club License since 1954 and at the subject site since 1975. No concerns have been raised in that time.

The number and market focus or clientele of liquor primary licensed establishments within a reasonable distance of the proposed location

- According to the locational criteria established by the City, a new liquor primary license should not be located within 1.6 kilometres (1 mile) of an existing liquor primary license.
 - There are no existing liquor primary licenses located within 1.6 kilometres of the subject site.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on March 11, 2024 and the Development Proposal Sign was installed on February 26, 2024. Staff received no responses from neighbouring residents regarding this proposal.

CONCLUSION

- The proposed Liquor Primary License is in keeping with Council policy for Liquor Primary establishments and the proponent will enter into a Good Neighbour Agreement to help control potential nuisance impacts beyond the requirements of the Liquor Control and Licensing Act.
- City Staff have no concerns with the proposed Liquor Primary License for the Royal Canadian Legion Branch #240.

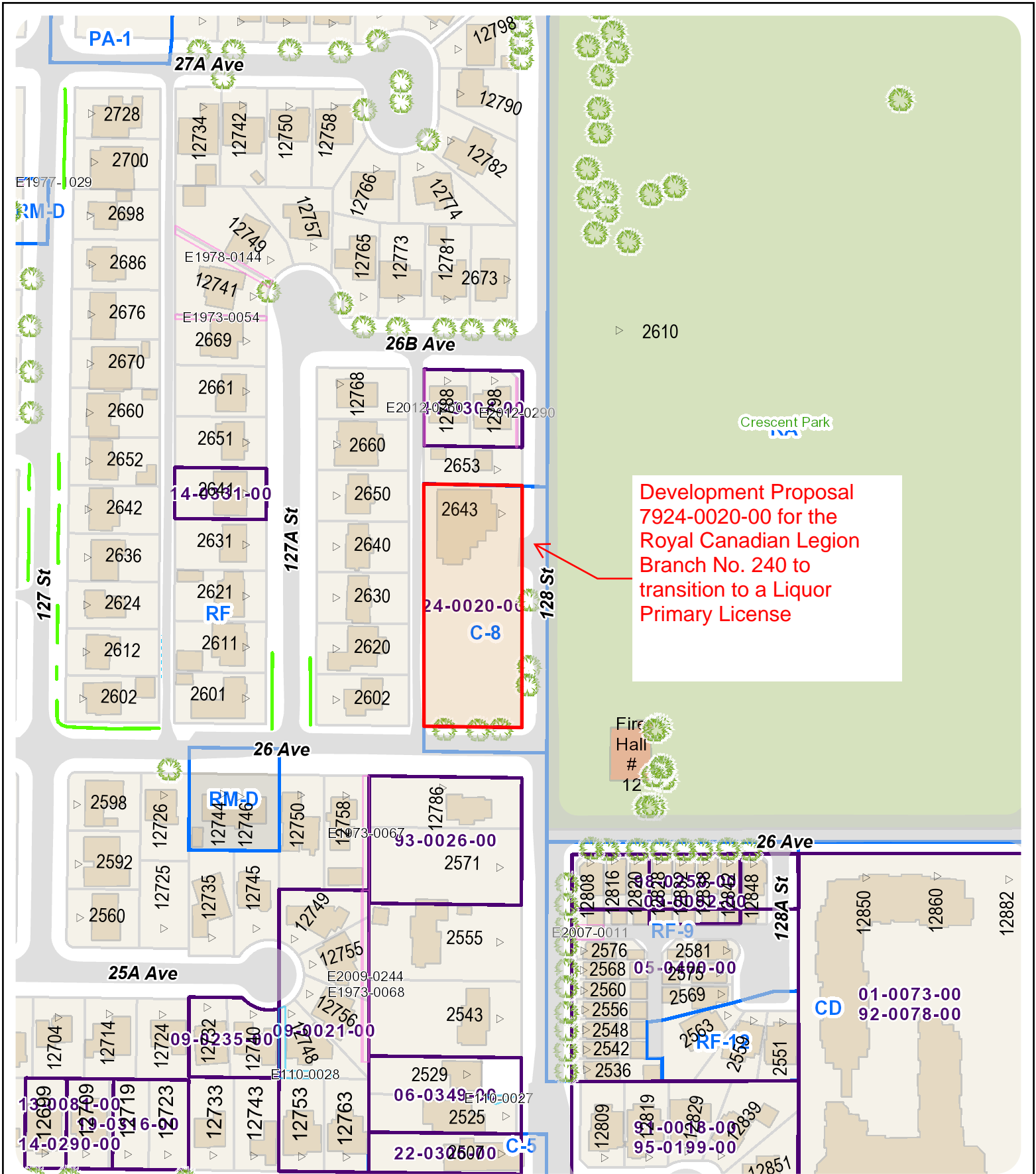
INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Location Map

approved by Shawn Low

Don Luymes
General Manager
Planning and Development



Development Proposal
7924-0020-00 for the
Royal Canadian Legion
Branch No. 240 to
transition to a Liquor
Primary License

Liquor Primary License Application

Scale: 1:2,000

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